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September 22, 2021

Ms. Carrie Moore

Via electronic submission at https://www.acq.osd.mil/dpap/dars/early_engagement.html

RE: Early Engagement Opportunity: E.O. 14042

Dear Ms. Moore,

On behalf of Science Applications International Corporation (SAIC), we thank you for the opportunity to provide comments on the pending implementation of Executive Order 14042, Ensuring Adequate COVID Safety Protocols for Federal Contractors.

SAIC® is a premier Fortune 500® technology integrator driving our nation's technology transformation. Our robust portfolio of offerings across the defense, space, civilian, and intelligence markets includes secure high-end solutions in engineering, digital, artificial intelligence, and mission solutions. Using our expertise and understanding of existing and emerging technologies, we integrate the best components from our own portfolio and our partner ecosystem to deliver innovative, effective, and efficient solutions that are critical to achieving our customers' missions.

We are more than 26,500 strong; driven by mission, united by purpose, and inspired by opportunities. SAIC is an Equal Opportunity Employer, fostering a culture of diversity, equity, and inclusion, which is core to our values and important to attract and retain exceptional talent. Headquartered in Reston, Virginia, SAIC has annual revenues of approximately \$7.1 billion.

As a services company, our people are our most important asset. Since the onset of this pandemic, our utmost goal has been to protect the health and safety of our employees and their families, while supporting our customers and their missions. As such, we have leaned forward in requiring vaccinations and masking to create a safe environment for our employees reporting to the workplace. Our current vaccination policy outlines that all site-essential employees without an approved accommodation must be fully vaccinated and provide proof of that status before entering any of our facilities. We are also flowing this requirement to our subcontractors and vendors. Additionally, we heard the President when he stated, "If you want to work with the federal government and do business with us, get vaccinated. If you want to do business with the federal government, vaccinate your workforce." We have begun taking steps to expand our vaccination requirements to all of our employees across the country.

As we work to implement our own policies and comply with requests from our government customers, a number of questions have arisen for consideration. These include the following:

- Definitions are very important in defining the applicable scope both for us and our subcontractors and partners. Section 2 of the Executive Order states that the mandate "shall apply to any workplace locations... in which an individual is working on or in connection with a Federal Government contract or contract-like instrument." Defining the terms "individual" so we know who is considered a covered contractor employee, "workplace locations," and "in connection with" will be critical to our refining our own policies. SAIC already



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had a fairly flexible workforce prior to the pandemic. While many of our employees report to a federal facility, we have still more employees who report to an SAIC managed facility, and many who work remotely. Some of these employees charge direct to a federal contract while others are indirect or purely unallowable. Likewise, our subcontractors and suppliers are similarly situated in which they may or may not be accessing federal facilities.

- What are the definitions of “fully vaccinated” and will there be guidance given around the parameters of what constitutes an approved accommodation and what requests should be denied? We are concerned that differing interpretations of the mandate and what constitutes a legitimate reason for not vaccinating will lead to a less effective initiative if accommodations are granted without any minimal standards.
- A number of inquiries and questions have been received regarding accommodations for “natural immunity” due to prior COVID infections. If an employee has had COVID in the past, are they to be granted an accommodation for the vaccine? If so, for how long? It would be helpful for the guidance to address this issue.
- For those employees who are granted accommodations, who will bear the cost of testing requirements? What will the parameters of those testing requirements be for employees who do not regularly report to a covered facility?
- We have relied heavily on relief provided by Section 3610 of the CARES Act in situations in which our employees were unable to report to their workplace due to closures or alternative work schedules resulting from COVID protocols. This relief authority is set to lapse on 30 September. Will costs related to quarantine be allowable or reimbursed if breakthrough cases lead to quarantines or other situations in which contractors are unable to report to their workplace or perform work from alternative locations due to the nature of the work?
- How will disciplinary efforts be treated by the Federal Government, unions, and others in terms of employee/employer relationships as well as the labor charges associated with such actions?
- What sort of documentation will be required and who will have access to the information? What will the technical requirements of the systems holding these requirements be in order to comply? Who will be responsible for maintaining the privacy and security of our employees’ data and that of our subcontractors?
- What is the role of the prime in verifying subcontractor compliance with the mandate given the sensitivity of the information?

We have already created an internal system to track compliance with our own existing vaccine mandate. We anticipate additional expenses will be necessary to comply with the Federal Government’s mandate and expect both compliance and the costs to be audited. Therefore, we respectfully request guidance related to the following:

- Are costs to comply with the mandate be charged directly to contracts or treated as overhead cost?



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- Where is the line between allowable and unallowable cost for labor, materials, etc.? We have a significant effort ongoing and expect additional efforts will be required to communicate, execute and monitor efforts related to the mandate.
- It is our understanding that our own corporate efforts may be further along than some of our suppliers and partners. How will disruption to timelines on contractual deliverables be addressed if impacted by vaccination compliance efforts?
- In some areas of the country, there are large employee populations within industry that are not currently vaccinated. These locations may experience some “slow down” or “excessive costs” due to the mandate and need to vaccinate, comply and potentially rehire and train new employees or enter into new subcontracts. What sort of guidance does the government offer for these situations? For instance, we have heard of situations where large numbers of employees are eligible for retirement or able to leave the workforce. Is there flexibility for those programs that rely heavily on an experienced workforce that may be in high fluctuation as a result of the mandate and employees choosing to leave the work force rather than vaccinate?

We look forward to the updated guidance from the Safer Federal Workforce Task Force and to working with our government customers to insure a safe and effective work environment for all.

Respectfully,

Amy Childers Benson
Vice President, Government Affairs